

RESOLUTION NO. 20060608-121

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

WHEREAS, the City Council was requested to review and approve the use of a portion of Colony Park for the construction of a public elementary school; and

WHEREAS, notice of public meeting to be held on June 8, 2006 was given for three consecutive weeks on May 14, 21 and 28, 2006, in a newspaper of general circulation; and

WHEREAS, such public hearing was held June 8, 2006, by the City Council to determine whether to approve construction of the school in a portion of Colony Park; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Council finds that, having taken into account clearly enunciated local preferences, there is no feasible and prudent alternative to the use of the parkland (detailed in the attached Exhibit "A") for the proposed elementary school and such proposed use is approved.

That the City Council finds that the program of improvements includes all reasonable planning to minimize harm to the parkland from the resulting use.

That the City Manager be authorized to execute a lease and parkland improvement agreement with the Austin Independent School District for the construction and operation of an elementary school on such terms and conditions as may be necessary, favorable or required.

ADOPTED: June 8, 2006

ATTEST:

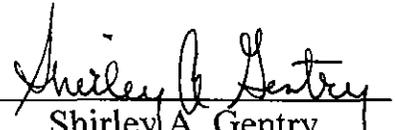

Shirley A. Gentry
City Clerk



Exhibit A

**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724

Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**LEGAL DESCRIPTION
28.065 ACRES**

02-27-06P01:56 99VD

A DESCRIPTION OF 28.065 ACRES (APPROXIMATELY 1,260,396 S.F.) OF LAND OUT OF THE JAMES BURLESON SURVEY NO. 19, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 14.699 ACRE TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED TO THE CITY OF AUSTIN RECORDED IN DOCUMENT NO. 2002058165, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, A PORTION OF A 49.889 ACRE TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO THE CITY OF AUSTIN RECORDED IN DOCUMENT NO. 2001119348 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND A PORTION OF A 4.97 ACRE TRACT OF LAND DESCRIBED IN DEED TO THE PUBLIC RECORDED IN VOLUME 4542, PAGE 532 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 28.065 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found for an interior corner of the 49.889 acre tract, being also an exterior corner of a 9.930 acre tract recorded in Volume 5000, Page 1992, of the Deed Records of Travis County, Texas, and the northeast corner of a 3.023 acre tract recorded in Volume 5000, Page 1984, of the Deed Records of Travis County, Texas, from which a 1/2" rebar found bears South 26°45'57" West, a distance of 1291.09 feet;

THENCE North 63°45'57" West, along the common line of the 49.889 acre tract and the 3.023 acre tract, a distance of 96.66 feet to a 1/2" rebar found for an exterior corner of the 49.889 acre tract, being also the northwest corner of the 3.023 acre tract and in a southeast line of the 4.97 acre tract;

THENCE South 28°08'40" West, along the common line of the 4.97 acre tract and the 3.023 acre tract, a distance of 491.38 feet to a calculated point;

THENCE leaving the northwest line of the 3.023 acre tract, over and across the 14.699 acre tract, the 4.97 acre tract and the 49.889 acre tract, the following six (6) courses:

1. North 61°55'47" West, a distance of 398.36 feet to a calculated point;
2. North 27°35'10" East, a distance of 306.69 feet to a calculated point;
3. North 20°02'15" East, a distance of 293.14 feet to a calculated point for the beginning of a non-tangent curve to the right;

4. 229.64 feet along the arc of said curve to the right, having a radius of 180.00 feet, and through a central angle of $73^{\circ}05'51''$, the chord of which bears North $00^{\circ}33'36''$ West, a distance of 214.38 feet to a calculated point;
5. North $35^{\circ}59'20''$ East, a distance of 199.37 feet to a calculated point;
6. North $38^{\circ}25'09''$ West, a distance of 204.01 feet to a calculated point in a north line of the 49.889 acre tract, being also in the southeast line of The Meadows of Walnut Creek Section Five subdivision, a subdivision of record in Volume 86, Page 162D, of the Plat Records of Travis County, Texas, from which a $1/2''$ rebar found bears South $49^{\circ}42'09''$ West, a distance of 258.54 feet;

THENCE along the common line of the 49.889 acre tract and The Meadows of Walnut Creek Section Five, the following two (2) courses:

1. North $49^{\circ}42'09''$ East, a distance of 109.25 feet to a $1/2''$ rebar found;
2. North $28^{\circ}19'51''$ West, a distance of 129.37 feet to a $1/2''$ rebar with cap set for the northwest corner of the 49.889 acre tract, being also the northwest corner of The Meadows of Walnut Creek Section Five and being the southwest corner of a 3.334 acre tract recorded in Document No. 2001119349, of the Official Public Records of Travis County, Texas, for the beginning of a non-tangent curve to the right;

THENCE along the common line of the 49.889 acre tract and the 3.334 acre tract, the following two (2) courses:

1. 649.96 feet along the arc of said non-tangent curve to the right, having a radius of 772.66 feet, and through a central angle of $48^{\circ}11'48''$, the chord of which bears North $84^{\circ}18'21''$ East, a distance of 630.96 feet to a $1/2''$ rebar with cap set;
2. South $71^{\circ}35'17''$ East, a distance of 295.68 feet to a calculated point, from which a $1/2''$ rebar found bears South $71^{\circ}35'17''$ East, a distance of 265.62 feet;

THENCE leaving the south line of the 3.334 acre tract, over and across the 49.889 acre tract, the following seven (7) courses:

1. South $15^{\circ}14'53''$ West, a distance of 147.69 feet to a calculated point;
2. South $08^{\circ}31'33''$ East, a distance of 74.68 feet to a calculated point;
3. South $21^{\circ}38'48''$ East, a distance of 342.95 feet to a calculated point;

4. North 28°36'30" East, a distance of 125.39 feet to a calculated point;
5. North 66°28'37" East, a distance of 109.99 feet to a calculated point;
6. South 49°38'58" East, a distance of 227.87 feet to a calculated point;
7. South 27°33'56" West, a distance of 258.28 feet to a calculated point in a south line of the 49.889 acre tract, being also in the north line of the 9.930 acre tract, from which a 1/2" rebar with cap set bears North 71°05'10" East;

THENCE South 71°05'10" West, along the common line of the 49.889 acre tract and the 9.930 acre tract, a distance of 850.77 feet to the **POINT OF BEGINNING**, containing a total of 28.935 acres, a net of 28.065 acres of land, more or less.

SAVE & EXCEPT FROM THE HEREINABOVE DESCRIBED TRACT, A 0.870 ACRE (APPROXIMATELY 37,912 S.F) TRACT OF LAND OUT OF THE JAMES BURLESON SURVEY NO. 19, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 14.699 ACRE TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED TO THE CITY OF AUSTIN RECORDED IN DOCUMENT NO. 2002058165, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, A PORTION OF A 49.889 ACRE TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO THE CITY OF AUSTIN RECORDED IN DOCUMENT NO. 2001119348 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND A PORTION OF A 4.97 ACRE TRACT OF LAND DESCRIBED IN DEED TO THE PUBLIC RECORDED IN VOLUME 4542, PAGE 532 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.870 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

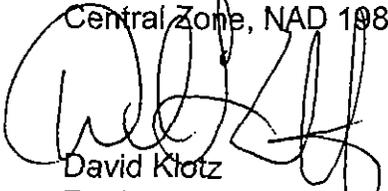
BEGINNING at a calculated point in the 4.97 acre tract, from which a 1/2" rebar found bears for reference South 06°06'36" West, a distance of 115.37 feet;

THENCE over and across the 4.97 acre tract, the 14.699 acre tract and the 49.889 acre tract, the following eight (8) courses:

1. South 69°53'53" West, a distance of 201.91 feet to a calculated point;
2. North 20°06'07" West, a distance of 192.25 feet to a calculated point;
3. North 69°53'53" East, a distance of 201.91 feet to a calculated point;
4. South 20°04'42" East, a distance of 76.19 feet to a calculated point;

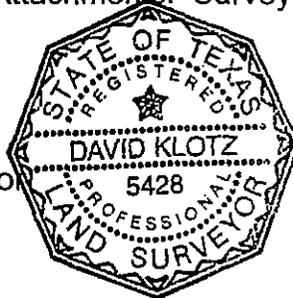
5. South 69°53'53" West, a distance of 37.27 feet to a calculated point;
6. South 20°06'07" East, a distance of 21.91 feet to a calculated point;
7. North 69°53'53" East, a distance of 35.49 feet to a calculated point;
8. South 21°12'18" East, a distance of 94.16 feet to the **POINT OF BEGINNING**, containing an area of 0.870 acres of land, more or less.

Surveyed on the ground in August, 2005. Bearing Basis is Grid Azimuth for the Texas Central Zone, NAD 1983/93 HARN. Attachments: Survey Drawing 166-049-LS.



David Klotz
Registered Professional Land Surveyor
State of Texas No. 5428

02/27/06



- LEGEND**
- 1/2" REBAR FOUND
 - 1/2" REBAR WITH CAP SET
 - CALCULATED POINT

1" = 200'

THE MEADOWS OF WALNUT CREEK SECTION FIVE (86/162D)

RITCHIE DR L 34
L 33
L 32
L 31
COLONY LOOP DRIVE (70' RIGHT-OF-WAY)
L 30
L 28
L 27
L 26
L 25
L 24

N28°19'51"W
129.37'
(129.37')
L4

N49°42'09"E 367.79'
(N51°59'39"E 367.97')
S49°42'09"W 258.54'
L2

N35°59'20"E 199.37'
L3

4.97 ACRES STREET DEED (4542/532)

569.53'53"W 201.91'
L14
L13
L12
L11
L10
L9
L8
L7
L6
L5
L4
L3
L2
L1
P.O.B.

SAVE & EXCEPT 0.870 ACRE (APPROX 37,912 SF)

NET SITE
28.065 ACRES (APPROX 1,222,484 S.F.)

TOTAL SITE
28.935 ACRE (APPROX 1,260,396 SF)

CITY OF AUSTIN DOC. #200119348 49.889 ACRES

3.334 ACRE DEDICATION DEED (200119349)

S71°35'17"E 561.30'
(S69°14'42"E 531.26')
L7
S71°35'17"E 295.68'
L5

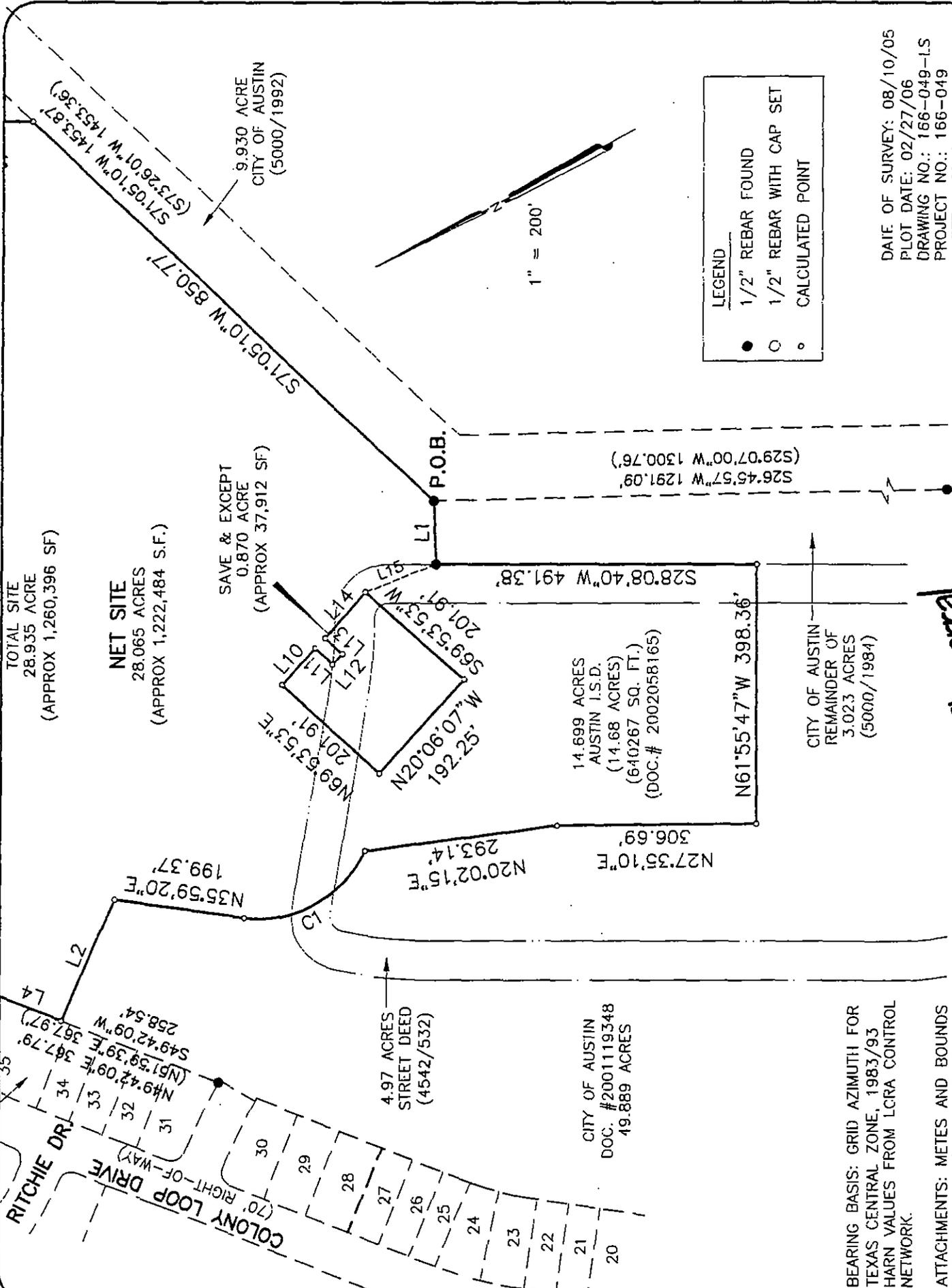
S49°38'58"E 227.87'
L6
S21°38'48"E 342.95'
L8
S27°33'56"W 258.28'
L9

S71°05'10"W 1453.87'
(S73°26'01"W 1453.36')
S71°05'10"W 850.77'
L10
L9
L8
L7
L6
L5
L4
L3
L2
L1
P.O.B.

9.930 ACRE CITY OF AUSTIN (5000/1992)

DATE OF SURVEY: 08/10/05
PLOT DATE: 02/27/06
DRAWING NO.: 166-049-LS
PROJECT NO.: 166-049
SHEET 1 OF 3

Chaparral



TOTAL SITE
28.935 ACRE
(APPROX 1,260,396 SF)

NET SITE
28.065 ACRES
(APPROX 1,222,484 S.F.)

SAVE & EXCEPT
0.870 ACRE
(APPROX 37,912 SF)

14.699 ACRES
AUSTIN I.S.D.
(14.68 ACRES)
(640267 SQ. FT.)
(DOC.# 2002058165)

CITY OF AUSTIN
REMAINDER OF
3.023 ACRES
(5000/1984)

4.97 ACRES
STREET DEED
(4542/532)

CITY OF AUSTIN
DOC. #200119348
49.889 ACRES

BEARING BASIS: GRID AZIMUTH FOR
TEXAS CENTRAL ZONE, 1983/93
HARN VALUES FROM LCRA CONTROL
NETWORK.

ATTACHMENTS: METES AND BOUNDS
DESCRIPTION 166-049-LS.DOC

LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR WITH CAP SET
- CALCULATED POINT

DATE OF SURVEY: 08/10/05
PLOT DATE: 02/27/06
DRAWING NO.: 166-049-LS
PROJECT NO.: 166-049
SHEET 2 OF 3

Chaparral

1" = 200'

P.O.B.
L1

S26°45'57"W 1291.09'
(S29°07'00"W 1300.76')

S28°08'40"W 491.38'

N61°55'47"W 398.36'

N27°35'10"E 306.69'

N20°02'15"E 293.14'

N35°59'20"E 199.37'

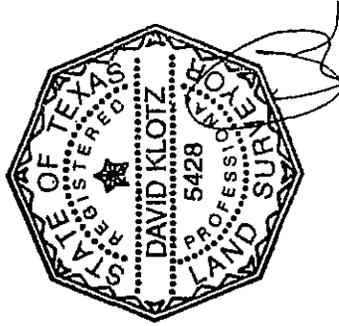
N69°53'53"E 201.91'
L11
L12
L13
L14
S69°53'53"W 201.91'
M. 67°07'02"N 192.22'
S28°08'40"W 491.38'

RITCHIE DRIVE
COLONY LOOP DRIVE
(70' RIGHT-OF-WAY)

35
34
33
32
31
30
29
28
27
26
25
24
23
22
21
20

N#9°42'09"E 367.79'
(N61°39'39"E 367.97')
S49°42'09"W 258.54'

SKETCH TO ACCOMPANY A DESCRIPTION OF 28.065 ACRES (APPROXIMATELY 1,260,396 S.F.) OF LAND OUT OF THE JAMES BURLESON SURVEY NO. 19, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 14.699 ACRE TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED TO THE CITY OF AUSTIN RECORDED IN DOCUMENT NO. 2002058165, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, A PORTION OF A 49.889 ACRE TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO THE CITY OF AUSTIN RECORDED IN DOCUMENT NO. 200119348 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND A PORTION OF A 4.97 ACRE TRACT OF LAND DESCRIBED IN DEED TO THE PUBLIC RECORDED IN VOLUME 4542, PAGE 532 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.



LINE TABLE		
No.	BEARING	LENGTH
L1	N63°45'57"W	96.66'
L2	N38°25'09"W	204.01'
L3	S27°19'35"W	9.76'
L4	N49°42'09"E	109.25'
L5	S15°14'53"W	147.69'
L6	S08°31'33"E	74.68'
L7	S71°35'17"E	265.62'
L8	N28°36'30"E	125.39'
L9	N66°28'37"E	109.99'
L10	S20°04'42"E	76.19'
L11	S69°53'53"W	37.27'
L12	S20°06'07"E	21.91'
L13	N69°53'53"E	35.49'
L14	S21°12'18"E	94.16'
L15	S06°06'36"W	115.37'

CURVE TABLE						
NO.	DELTA	RADIUS	TAN	ARC	CHORD	BEARING
C1	73°05'51"	180.00'	133.43'	229.64'	214.38'	N00°33'36"W
C2	48°11'48"	772.66'	345.60'	649.96'	630.96'	N84°18'21"E

BEARING BASIS: GRID AZIMUTH FOR TEXAS CENTRAL ZONE, 1983/93
HARN VALUES FROM LCRA CONTROL NETWORK.

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 166-049-LS.DOC

DATE OF SURVEY: 08/10/05
PLOT DATE: 02/27/06
DRAWING NO.: 166-049-LS
PROJECT NO.: 166-049
SHEET 3 OF 3

Chaparral